



STATE OF IDAHO
DEPARTMENT OF
ENVIRONMENTAL QUALITY

1410 North Hilton • Boise, Idaho 83706-1255 • (208) 373-0502

Dirk Kempthorne, Governor
C. Stephen Allred, Director

January 13, 2004

Certified Mail No. 7099 3220 0009 1975 2737

Samuel B. Greene, P.E.
Corporate Air Quality Engineer
Sinclair Oil Corp.
P.O. Box 30825
Salt Lake City, UT 84130-2700

RE: AIRS Facility No. 031-00026, Sinclair Oil Corp., Burley Products Terminal, Burley
Final Tier I Operating Permit Letter

Dear Mr. Greene:

The Idaho Department of Environmental Quality (DEQ) is issuing Tier I Operating Permit No. T1-030413 for Sinclair Oil Corp. in accordance with IDAPA 58.01.01.300 through 386, *Rules for the Control of Air Pollution in Idaho (Rules)*.

The enclosed permit is effective immediately, summarizes the applicable requirements for your facility, and requires an annual compliance certification for all emissions units.

The enclosed operating permit is based on the information contained in your permit application, received May 22, 2003. Modifications to and/or renewal of this operating permit shall be requested in a timely manner in accordance with the *Rules*.

Stephen Van Zandt of the Twin Falls Regional Office will contact you regarding a meeting with DEQ to discuss the permit terms and requirements. DEQ recommends the following representatives attend the meeting: your facility's plant manager, responsible official, environmental contact, and any operations staff responsible for day-to-day compliance with permit conditions.

Pursuant to IDAPA 58.01.23, you, as well as any other entity, may have the right to appeal this final agency action within 35 days of the date of this decision. However, prior to filing a petition for a contested case, I encourage you to call Bill Rogers at (208) 373-0502 to address any questions or concerns you may have with the enclosed permit.

Sincerely,

Martin Bauer
Administrator
Air Quality Division

MB/SO/sd

Permit No. T1-030413

Enclosure

cc: Stephen VanZandt, Twin Falls Regional Office
Bill Rogers, Air Quality Division
Steve Ogle, Air Quality Division
Sherry Davis, Air Quality Division
Marilyn Seymore, Air Quality Division
Pat Rayne, AFS
Laurie Kral, EPA Region 10
Phyllis Heitman, (Ltr Only)
Source File
Reading File (Ltr Only)



**Air Quality
TIER I OPERATING PERMIT**

**State of Idaho
Department of Environmental Quality**

PERMIT NO.: T1-030413

AIRS FACILITY NO.: 031-00026

AQCR: 63

CLASS: A

SIC: 5171

ZONE: 12

UTM COORDINATE (km): 277.1 , 4710.3

1. PERMITTEE

Sinclair Oil Corp. – Burley Terminal

2. PROJECT

Tier I Operating Permit

3. MAILING ADDRESS

425 E. Highway 81

CITY

Burley

STATE

ID

ZIP

83318

4. FACILITY CONTACT

Dave Cole

TITLE

Terminal Manager

TELEPHONE

(208) 678-7363

5. RESPONSIBLE OFFICIAL

Mark Petersen

TITLE

Pipelines & Terminals Manager

TELEPHONE

(208) 678-7363

6. EXACT PLANT LOCATION

Range/Township Coordinates: T-10, S-36, R23E

COUNTY

Cassia

7. GENERAL NATURE OF BUSINESS & KINDS OF PRODUCTS

Petroleum product storage and distribution

8. PERMIT AUTHORITY

This Tier I operating permit is issued pursuant to Idaho Code §39-115 and the *Rules for the Control of Air Pollution in Idaho*, IDAPA 58.01.01.300 through 386. The permittee shall comply with the terms and conditions of this permit.

This permit incorporates all applicable terms and conditions of prior air quality permits issued by the Idaho Department of Environmental Quality (DEQ) for the permitted source, unless the permittee emits toxic pollutants subject to state-only requirements pursuant to IDAPA 58.01.01.210, and the permittee elects not to incorporate those terms and conditions into this operating permit.

The effective date of this permit is the date of signature by DEQ on the cover page.


C. STEPHEN ALFRED, DIRECTOR

DEPARTMENT OF ENVIRONMENTAL QUALITY

DATE ISSUED:

January 13, 2004

DATE EXPIRES:

July 4, 2007

Table Of Contents

ACRONYMS, UNITS, AND CHEMICAL NOMENCLATURE.....	3
1. TIER I OPERATING PERMIT SCOPE.....	4
2. FACILITY-WIDE CONDITIONS.....	5
3. STORAGE TANKS 301, 304, 311 & 321.....	14
4. STORAGE TANKS 302, 305 & 306.....	16
5. PROVER TANK.....	18
6. TRANSMIX TANK.....	20
7. GASOLINE AND DISTILLATE FUEL LOADING RACK	22
8. INSIGNIFICANT ACTIVITIES.....	24
9. TIER I OPERATING PERMIT GENERAL PROVISIONS	25

Acronyms, Units, And Chemical Nomenclature

AIRS	Aerometric Information Retrieval System
AQCR	Air Quality Control Region
ASTM	American Society of Testing and Materials
CAA	Clean Air Act
CFC	chlorofluorocarbons
CFR	Code of Federal Regulations
CO	carbon monoxide
DEQ	Idaho Department of Environmental Quality
EPA	U.S. Environmental Protection Agency
gr	grains (1 pound = 7,000 grains)
HAPs	hazardous air pollutants
IDAPA	a numbering designation for all administrative rules in Idaho promulgated in accordance with the Idaho Administrative Procedures Act
km	kilometers
lb(s)	pounds
MACT	Maximum Achievable Control Technology
NO _x	nitrogen oxides
NSPS	New Source Performance Standards
PM	particulate matter
PM ₁₀	particulate matter with an aerodynamic diameter of 10 micrometers or less
PTC	permit to construct
Rules	IDAPA 58.01.01.et. al. (<i>Rules for the Control of Air Pollution in Idaho</i>)
SIC	Standard Industrial Classification
SIP	State Implementation Plan
SO ₂	sulfur dioxide
T/yr	tons per year (1 T = 2000 lbs)
U.S.C.	United States Code
U.S. gal/yr	United States Gallons per year (unique in comparison to the United Kingdom and Canadian gallon)
UTM	Universal Transverse Mercator
VOC	volatile organic compounds

AIR QUALITY TIER I OPERATING PERMIT NUMBER: T1-030413**Permittee:** Sinclair Oil Corp.**AIRS Facility No.** 031-00026**Date Issued:**

January 13, 2004

Location: Burley, Idaho**Date Expires:**

July 4, 2007

1. TIER I OPERATING PERMIT SCOPE**Purpose**

- 1.1 This Tier I operating permit establishes facility-wide requirements in accordance with the Idaho State Implementation Plan control strategy and the *Rules*.
- 1.2 This Tier I permit incorporates the following permit(s):
- Tier II Operating Permit No. 031-00026, issued August 23, 1996;
 - Tier II Operating Permit No. 031-00026, issued October 30, 2002;
 - Tier II Operating Permit No. T2-030417, issued July 16, 2003;
 - Tier II Operating Permit No. T2-030419, issued August 20, 2003.
- 1.3 This modified Tier I permit incorporates and replaces the following permit(s):
- Tier I Operating Permit No. 031-00026, issued July 4, 2002.

Regulated Sources

- 1.4 Table 1.1 lists all sources of emissions regulated in this Tier I operating permit.

Table 1.1 REGULATED SOURCES

Permit Condition	Source Description	Emissions Control(s)
2	Facility-wide	None
3	Storage Tanks 301, 304, 311, and 321	None
4	Storage Tanks 302, 305, and 306	None
5	Prover Tank	None
6	Transmix Tank	None
7	Gasoline and Distillate Fuel Loading Rack	None

AIR QUALITY TIER I OPERATING PERMIT NUMBER: T1-030413

Permittee: Sinclair Oil Corp.	AIRS Facility No. 031-00026	Date Issued:	January 13, 2004
Location: Burley, Idaho		Date Expires:	July 4, 2007

2. FACILITY-WIDE CONDITIONS

The following table contains only a summary of requirements that apply generally to emissions units at the facility. Specific permit requirements are listed below Table 2.1.

Table 2.1 FACILITY-WIDE APPLICABLE REQUIREMENTS SUMMARY

Permit Conditions	Parameter	Permit Limit/Standard Summary	Applicable Requirements Reference	Monitoring and Recordkeeping Requirements
2.1	Fugitive emissions	Reasonable control	IDAPA 58.01.01.650-51; Tier II Permit No. T2-030419	2.2, 2.3, 2.4, 2.18
2.5	Odors	Reasonable control	IDAPA 58.01.01.775-776; Tier II Permit No. T2-030419	2.6, 2.18
2.7	Visible emissions	20% opacity for no more than 3 minutes in any 60-minute period	IDAPA 58.01.01.625; Tier II Permit No. T2-030419	2.8, 2.18
2.9	Excess emissions	Startup, shutdown, scheduled maintenance, safety measures, upset and breakdown	IDAPA 58.01.01.130-136; Tier II Permit No. T2-030419	2.9.4, 2.9.5, 2.18
2.10	Open burning	Rules for the control of open burning	IDAPA 58.01.01.600-616; Section 129 of the CAA; Tier II Permit No. T2-030419	2.18
2.11	Air Stagnation Advisory	Air Pollution Emergency Rules	IDAPA 58.01.01.550-562; Tier II Permit No. T2-030419	2.18
2.12	Renovation/demolition	Rules for the control of asbestos	40 CFR 61, Subpart M	2.18
2.13	Regulated substances	Regulated substances for accident release prevention	40 CFR 68.10(a)	2.18
2.14	CFCs	Recycling and emissions reductions	40 CFR 82, Subpart F	2.18
2.15	Fuel sulfur content	ASTM Grade 1 fuel oil – 0.3% by weight ASTM Grade 2 fuel oil – 0.5% by weight ASTM Grades 4, 5, and 6 fuel oil – 1.75% by weight	IDAPA 58.01.01.727-728; Tier II Permit No. T2-030419	2.16, 2.18
2.21	Hazardous air pollutants	National emission standards for bulk gasoline distribution facilities	40 CFR 63, Subpart R	2.18
2.22	Construction, reconstruction, or modification, if applicable	Standards of performance for volatile organic liquid storage vessels	40 CFR 60, Subpart Kb	2.18
2.23	Best demonstrated technology, if applicable	Standards of performance for bulk gasoline terminals	40 CFR 60, Subpart XX	2.18

AIR QUALITY TIER I OPERATING PERMIT NUMBER: T1-030413

Permittee: Sinclair Oil Corp.	AIRS Facility No. 031-00026	Date Issued:	January 13, 2004
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Fugitive Emissions

- 2.1 All reasonable precautions shall be taken to prevent particulate matter from becoming airborne in accordance with IDAPA 58.01.01.650-651.
[Tier II Permit No. T2-030419, 8/20/03]
- 2.2 The permittee shall monitor and maintain records of the frequency and the method(s) used (i.e., water, chemical dust suppressants, etc.) to reasonably control fugitive emissions.
[Tier II Permit No. T2-030419, 8/20/03]
- 2.3 The permittee shall maintain records of all fugitive dust complaints received. The permittee shall take appropriate corrective action as expeditiously as practicable after receipt of a valid complaint. The records shall include, at a minimum, the date each complaint was received and a description of the following: the complaint, the permittee's assessment of the validity of the complaint, any corrective action taken, and the date the corrective action was taken.
[Tier II Permit No. T2-030419, 8/20/03]
- 2.4 The permittee shall conduct a monthly facility-wide inspection of potential sources of fugitive emissions during daylight hours and under normal operating conditions to ensure that the methods used to reasonably control fugitive emissions are effective. If fugitive emissions are not being reasonably controlled, the permittee shall take corrective action as expeditiously as practicable. The permittee shall maintain records of the results of each monthly fugitive emission inspection. The records shall include, at a minimum, the date of each inspection and a description of the following: the permittee's assessment of the conditions existing at the time fugitive emissions were present (if observed), any corrective action taken in response to the fugitive emissions, and the date the corrective action was taken.
[Tier II Permit No. T2-030419, 8/20/03]

Odors

- 2.5 No person shall allow, suffer, cause, or permit the emission of odorous gases, liquids, or solids to the atmosphere in such quantities as to cause air pollution.
[Tier II Permit No. T2-030419, 8/20/03]
- 2.6 The permittee shall maintain records of all odor complaints received. If the complaint has merit, the permittee shall take appropriate corrective action as expeditiously as practicable. The records shall include, at a minimum, the date each complaint was received and a description of the following: the complaint, the permittee's assessment of the validity of the complaint, any corrective action taken, and the date the corrective action was taken.
[Tier II Permit No. T2-030419, 8/20/03]

AIR QUALITY TIER I OPERATING PERMIT NUMBER: T1-030413

Permittee: Sinclair Oil Corp.	AIRS Facility No. 031-00026	Date Issued:	January 13, 2004
Location: Burley, Idaho		Date Expires:	July 4, 2007

Visible Emissions

- 2.7 No person shall discharge any air pollutant to the atmosphere from any point of emission for a period or periods aggregating more than three minutes in any 60-minute period which is greater than 20% opacity as determined by procedures contained in IDAPA 58.01.01.625. These provisions shall not apply when the presence of uncombined water, nitrogen oxides, and/or chlorine gas are the only reason(s) for the failure of the emission to comply with the requirements of this section.

[Tier II Permit No. T2-030419, 8/20/03]

- 2.8 The permittee shall conduct a quarterly facility-wide inspection of potential sources of visible emissions during daylight hours and under normal operating conditions. The visible emissions inspection shall consist of a see/no see evaluation for each potential source. If any visible emissions are present from any point of emission, the permittee shall either take appropriate corrective action as expeditiously as practicable, or perform a Method 9 opacity test in accordance with the procedures outlined in IDAPA 58.01.01.625. A minimum of 30 observations shall be recorded when conducting the opacity test. If opacity is greater than 20% for a period or periods aggregating more than three minutes in any 60-minute period, the permittee shall take all necessary corrective action and report the exceedance in its annual compliance certification and in accordance with IDAPA 58.01.01.130-136. The permittee shall maintain records of the results of each quarterly visible emission inspection and each opacity test when conducted. The records shall include, at a minimum, the date and results of each inspection and test and a description of the following: the permittee's assessment of the conditions existing at the time visible emissions are present (if observed), any corrective action taken in response to the visible emissions, and the date corrective action was taken.

[Tier II Permit No. T2-030419, 8/20/03]

Excess Emissions

- 2.9 The permittee shall comply with the procedures and requirements of IDAPA 58.01.01.130-136 for excess emissions. The provisions of IDAPA 58.01.01.130-136 shall govern in the event of conflicts between Permit Condition 2.9 and the regulations of IDAPA 58.01.01.130-136.

[Tier II Permit No. T2-030419, 8/20/03]

- 2.9.1 The person responsible for, or in charge of, a facility during an excess emissions event shall, with all practicable speed, initiate and complete appropriate and reasonable action to correct the conditions causing such excess emissions event; to reduce the frequency of occurrence of such events; to minimize the amount by which the emission standard is exceeded; and shall, as provided below or upon request of DEQ, submit a full report of such occurrence, including a statement of all known causes, and of the scheduling and nature of the actions to be taken.

[IDAPA 58.01.01.132, 4/5/00]

- 2.9.2 In all cases where startup, shutdown, or scheduled maintenance of any equipment or emission unit is expected to result or results in an excess emissions event, the owner or operator of the facility or emissions unit generating the excess emissions shall demonstrate compliance with IDAPA 58.01.01.133.01(a) through (d), including, but not limited to, the following:

[IDAPA 58.01.01.133, 4/5/00]

AIR QUALITY TIER I OPERATING PERMIT NUMBER: T1-030413**Permittee:** Sinclair Oil Corp.**AIRS Facility No.** 031-00026**Date Issued:**

January 13, 2004

Location: Burley, Idaho**Date Expires:**

July 4, 2007

- 2.9.2.1 A prohibition of any scheduled startup, shutdown, or maintenance resulting in excess emissions shall occur during any period in which an Atmospheric Stagnation Advisory and/or a Wood Stove Curtailment Advisory have been declared by DEQ.

[IDAPA 58.01.01.133.01.a, 3/20/97]

- 2.9.2.2 Notifying DEQ of the excess emissions event as soon as reasonably possible, but no later than two hours prior to the start of the excess emission event, unless the owner or operator demonstrates to DEQ's satisfaction that a shorter advanced notice was necessary.

[IDAPA 58.01.01.133.01.b, 4/5/00]

- 2.9.2.3 The owner or operator of a source of excess emissions shall report and record the information required pursuant to Permit Conditions 2.9.4 and 2.9.5 and IDAPA 58.01.01.135 and 136 for each excess emissions event due to startup, shutdown, or scheduled maintenance.

[IDAPA 58.01.01.133.01.c, 3/20/97]

- 2.9.3 In all cases where upset or breakdown of equipment or an emissions unit, or the initiation of safety measures, results or may result in an excess emissions event, the owner or operator of the facility or emissions unit generating the excess emissions shall demonstrate compliance with IDAPA 58.01.01.134.01(a) and (b) and the following:

[IDAPA 58.01.01.134, 4/5/00]

- 2.9.3.1 For all equipment or emissions units from which excess emissions result during upset or breakdown conditions, or for other situations that may necessitate the implementation of safety measures which cause excess emissions, the facility owner or operator shall comply with the following:

[IDAPA 58.01.01.134.02, 4/5/00]

- The owner or operator shall immediately undertake all appropriate measures to reduce and, to the extent possible, eliminate excess emissions resulting from the event and to minimize the impact of such excess emissions on the ambient air quality and public health.

[IDAPA 58.01.01.134.02.a, 4/5/00]

- The owner or operator shall notify DEQ of any upset, breakdown, or safety event that results in excess emissions. Such notification shall identify the time, specific location, equipment or emissions unit involved, and (to the extent known) the cause(s) of the occurrence. The notification shall be given as soon as reasonably possible, but no later than 24 hours after the event, unless the owner or operator demonstrates to DEQ's satisfaction that the longer reporting period was necessary.

[IDAPA 58.01.01.134.02.b, 4/5/00]

- The owner or operator shall report and record the information required pursuant to Permit Conditions 2.9.4 and 2.9.5 and IDAPA 58.01.01.135 and 136 for each excess emissions event caused by an upset, breakdown, or safety measure.

[IDAPA 58.01.01.134.02.c, 3/20/97]

AIR QUALITY TIER I OPERATING PERMIT NUMBER: T1-030413

Permittee: Sinclair Oil Corp.	AIRS Facility No. 031-00026	Date Issued:	January 13, 2004
Location: Burley, Idaho		Date Expires:	July 4, 2007

- 2.9.3.2 During any period of excess emissions caused by upset, breakdown, or operation under facility safety measures, DEQ may require the owner or operator to immediately reduce or cease operation of the equipment or emissions unit causing the excess emissions until such time as the condition causing the excess emissions has been corrected or brought under control. Such action by DEQ shall be taken upon consideration of the factors listed in IDAPA 58.01.01.134.03 and after consultation with the facility owner or operator.

[IDAPA 58.01.01.134.03, 4/5/00]

- 2.9.4 A written report for each excess emissions event shall be submitted to DEQ by the owner or operator no later than 15 days after the beginning of such an event. Each report shall contain the information specified in IDAPA 58.01.01.135.02.

[IDAPA 58.01.01.135.01, 3/20/97; IDAPA 58.01.01.135.02, 4/5/00]

- 2.9.5 The owner or operator shall maintain excess emissions records at the facility for the most recent five-calendar-year period. The excess emissions records shall be made available to DEQ upon request. The excess emissions records shall include the information requested by IDAPA 58.01.01.136.03(a) and (b) as summarized in the following:

[IDAPA 58.01.01.136.01, 02, 3/20/97; IDAPA 58.01.01.136.03, 4/5/00]

- 2.9.5.1 An excess emissions record book for each emissions unit or piece of equipment containing copies of all reports that have been submitted to DEQ pursuant to IDAPA 58.01.01.135 for the particular emissions unit or equipment.

[IDAPA 58.01.01.136.03.a, 4/5/00]

- 2.9.5.2 Copies of all startup, shutdown, and scheduled maintenance procedures and upset, breakdown, and safety preventative maintenance plans that have been developed by the owner or operator in accordance with IDAPA 58.01.01.133 and 134, and facility records as necessary to demonstrate compliance with such procedures and plans.

[IDAPA 58.01.01.136.03.b, 3/20/97; IDAPA 58.01.01.130-136, 4/5/00
(state-only; federally enforceable upon approval into the SIP); IDAPA 58.01.01.322.08.b, 3/23/98]

Open Burning

- 2.10 The permittee shall comply with the requirements of IDAPA 58.01.01.600-616, *Rules for Control of Open Burning*.

[Tier II Permit No. T2-030419, 8/20/03]

Air Stagnation Advisory Days

- 2.11 The permittee shall comply with the *Air Pollution Emergency Rule* in accordance with IDAPA 58.01.01.550-562.

[Tier II Permit No. T2-030419, 8/20/03]

Renovation/Demolition

- 2.12 The permittee shall comply with all applicable portions of 40 CFR 61, Subpart M when conducting any renovation or demolition activities at the facility.

[40 CFR 61, Subpart M]

AIR QUALITY TIER I OPERATING PERMIT NUMBER: T1-030413

Permittee: Sinclair Oil Corp.	AIRS Facility No. 031-00026	Date Issued:	January 13, 2004
Location: Burley, Idaho		Date Expires:	July 4, 2007

Regulated Substances for Accidental Release Prevention

2.13 An owner or operator of a stationary source that has more than a threshold quantity of a regulated substance in a process, as determined under 40 CFR 68.115, shall comply with the requirements of the *Chemical Accident Prevention Provisions* at 40 CFR Part 68 no later than the latest of the following dates:

- Three years after the date on which a regulated substance present above a threshold quantity is first listed under 40 CFR 68.130.
 - The date on which a regulated substance is first present above a threshold quantity in a process.
- [40 CFR 68.10 (a)]

Recycling and Emissions Reductions

2.14 The permittee shall comply with applicable standards for recycling and emissions reduction pursuant to 40 CFR 82, Subpart F, *Recycling and Emissions Reduction*.

[40 CFR 82, Subpart F]

Sulfur Content

2.15 No person shall sell, distribute, use, or make available for use any distillate fuel oil containing more than the following percentages of sulfur:

- ASTM Grade 1 fuel oil - 0.3% by weight
- ASTM Grade 2 fuel oil - 0.5% by weight
- Residual fuel oil (ASTM Grade 4, 5, and 6) - 1.75% by weight

[Tier II Permit No. T2-030419, 8/20/03]

2.16 The permittee shall establish compliance with the limits specified in Permit Condition 2.15 by fulfilling the requirements of either Permit Condition 2.16.1 or 2.16.2 below. The permittee shall, contemporaneously with making a change from one option to the other, record the change in a log located and retained at the permitted facility.

2.16.1 The permittee shall determine the sulfur content of each shipment of distillate fuel received by the facility. The reference test method for measuring fuel sulfur content shall be ASTM method, D129-95 Standard Test for Sulfur in Petroleum Products (General Bomb Method), or such comparable and equivalent method approved in accordance with IDAPAP 58.01.01.157.02.d. Test methods and procedures shall comply with IDAPA 58.01.01.157. The results of each test performed shall be recorded in a log. The supporting analysis information shall also be kept onsite; or

2.16.2 The permittee shall obtain documentation of the sulfur content analysis of each shipment of distillate fuel from the refinery that produced the fuel. The documentation shall clearly state the sulfur content in weight percent of sulfur present in the fuel sample and shall reference the method of analysis used to determine the sulfur content in the fuel oil.

[Tier II Permit No. T2-030419, 8/20/03]

AIR QUALITY TIER I OPERATING PERMIT NUMBER: T1-030413**Permittee:** Sinclair Oil Corp.**AIRS Facility No.** 031-00026**Date Issued:**

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Test Methods

- 2.17 If testing is required, the permittee shall use the test methods listed in Table 2.2 to measure the pollutant emissions.

Table 2.2 EPA REFERENCE TEST METHODS

Pollutant	Test Method*	Special Conditions
PM ₁₀	EPA Method 201.a EPA Method 202	
PM	EPA Method 5	
NO _x	EPA Method 7	
SO ₂	EPA Method 6	
CO	EPA Method 10	
VOC	EPA Method 25	
Opacity	EPA Method 9	If an NSPS source, IDAPA 58.01.01.625 and Method 9; otherwise, IDAPA 58.01.01.625 only.

* Or DEQ-approved alternative in accordance with IDAPA 58.01.01.157

Compliance Testing

- 2.18 If testing is required, the permittee shall provide notice of intent to test to DEQ at least 15 days prior to the scheduled test or shorter time period as provided in a permit, order, consent decree, or by DEQ approval. DEQ may, at its option, have an observer present at any emissions tests conducted on a source. DEQ requests that such testing not be performed on weekends or state holidays. All testing shall be conducted in accordance with the procedures in IDAPA 58.01.01.157. Without prior DEQ approval, any alternative testing is conducted solely at the permittee's risk. If the permittee fails to obtain prior written approval by DEQ for any testing deviations, DEQ may determine that the testing does not satisfy the testing requirements. Therefore, prior to conducting any compliance test, the permittee is encouraged to submit in writing to DEQ, at least 30 days in advance, the following for approval:

- The type of test method to be used
- Any extenuating or unusual circumstances regarding the proposed test
- The proposed schedule for conducting and reporting the test

Within 30 days following the date in which a compliance test required by this permit is concluded, the permittee shall submit a compliance test report to DEQ for the respective test. The compliance test report shall include all process operating data collected during the test period as well as the test results, raw test data, and associated documentation, including any approved test protocol.

The proposed test date(s), test date rescheduling notice(s), compliance test report, and all other correspondence shall be sent to the following:

Air Quality Permit Compliance
Department of Environmental Quality
Twin Falls Regional Office
601 Pole Line Road, Suite 2
Twin Falls, ID 83301
Telephone: (208) 736-2190

Fax: (208) 736-2194

[IDAPA 58.01.01.157, 4/5/00; IDAPA 58.01.01.322.06, 08.a, 09, 5/1/94]

AIR QUALITY TIER I OPERATING PERMIT NUMBER: T1-030413

Permittee: Sinclair Oil Corp.	AIRS Facility No. 031-00026	Date Issued:	January 13, 2004
Location: Burley, Idaho		Date Expires:	July 4, 2007

Monitoring and Recordkeeping

- 2.19 The permittee shall maintain sufficient recordkeeping to assure compliance with all of the terms and conditions of this operating permit. Recording of monitoring information shall include, but not be limited to, the following: (a) the date, place, and times of sampling or measurements; (b) the date analyses were performed; (c) the company or entity that performed the analyses; (d) the analytical techniques or methods used; (e) the results of such analyses; and (f) the operating conditions existing at the time of sampling or measurement. All monitoring records and support information shall be retained for a period of at least five years from the date of the monitoring sample, measurement, report, or application. Supporting information includes, but is not limited to, all calibration and maintenance records, all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by this permit. All records required to be maintained by this permit shall be made available in either hard copy or electronic format to DEQ representatives upon request.

[Tier II Permit No. T2-030419, 8/20/03]

Reports and Certifications

- 2.20 All periodic reports and certifications required by this permit shall be submitted to DEQ within 30 days of the end of each specified reporting period. Excess emissions reports and notifications shall be submitted in accordance with IDAPA 58.01.01.130-136. Reports, certifications, and notifications shall be submitted to the following:

Air Quality Permit Compliance
Department of Environmental Quality
Twin Falls Regional Office
601 Pole Line Rd., Suite 2
Twin Falls, ID 83301
Telephone: (208) 736-2190

Fax: (208) 736-2194

The periodic compliance certification required by General Provision 21 shall also be submitted within 30 days of the end of the specified reporting period to the following:

EPA Region 10
Air Operating Permits, OAQ-107
1200 Sixth Ave.
Seattle, WA 98101

[Tier II Permit No. T2-030419, 8/20/03]

National Emission Standards for Gasoline Distribution Facilities

- 2.21 If the permitted facility is allowed to become a major source as defined by 40 CFR 63, the permittee shall immediately comply with the requirements of 40 CFR 63, Subpart R (*National Emission Standards for Gasoline Distribution Facilities, Bulk Gasoline Terminals, and Pipeline Breakout Stations*).

[40 CFR 63, Subpart R]

AIR QUALITY TIER I OPERATING PERMIT NUMBER: T1-030413**Permittee:** Sinclair Oil Corp.**AIRS Facility No.** 031-00026**Date Issued:**

January 13, 2004

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July 4, 2007

Standards of Performance for Volatile Organic Liquid Storage Vessels

- 2.22 If the permitted facility commences construction, reconstruction, or modification of any storage vessel with a capacity greater than or equal to 40 cubic meters that is used to store volatile organic liquids, the permittee shall immediately comply with the requirements of 40 CFR 60, Subpart Kb (*Standards of Performance for Volatile Organic Liquid Storage Vessels [including Petroleum Liquid Storage Vessels] for Which Construction, Reconstruction, or Modification Commenced after July 23, 1984*).

[40 CFR 60, Subpart Kb]**Standards of Performance for Bulk Gasoline Terminals**

- 2.23 If the permitted facility commences construction, reconstruction, or modification of the total loading rack that delivers petroleum product into gasoline tank trucks, the permittee shall immediately comply with the requirements of the *Standards of Performance for Bulk Gasoline Terminals* in accordance with 40 CFR 60, Subpart XX.

[40 CFR 60, Subpart XX]

AIR QUALITY TIER I OPERATING PERMIT NUMBER: T1-030413

Permittee: Sinclair Oil Corp.	AIRS Facility No. 031-00026	Date Issued:	January 13, 2004
Location: Burley, Idaho		Date Expires:	July 4, 2007

3. STORAGE TANKS 301, 304, 311 & 321**Summary Description**

The following is a narrative description of the storage tanks numbered 301, 304, 311, and 321 that are regulated in this Tier I operating permit. This description is for informational purposes only.

These tanks are allowed to store either gasoline or diesel. The yearly throughput and emission rates for these tanks are limited to avoid MACT requirements. These tanks are also referred to as emission units number 1, 2, 3, and 4 respectively in some documents.

Table 3.1 contains only a summary of the requirements that apply to the storage tanks numbered 301, 304, 311, and 321. Specific permit requirements are listed below Table 3.1.

Table 3.1 APPLICABLE REQUIREMENTS SUMMARY

Permit Conditions	Parameter	Permit Limit/Standard Summary	Applicable Requirements Reference	Monitoring and Recordkeeping Requirements
3.1	VOC emissions	60.68 T/yr (total)	Tier II Permit No. T2-030419	3.6, 3.7
3.2	HAP emissions	1.744 T/yr (total)	Tier II Permit No. T2-030419	3.6, 3.7
3.3	Tank throughput	345,436,000 U.S. gal/yr (total)	Tier II Permit No. T2-030419	3.6, 3.7
3.4	Fuel type	Gasoline or distillate fuel	Tier II Permit No. T2-030419	3.6

Permit Limits / Standard Summary

- 3.1 Total VOC emissions from Storage Tank Nos. 301, 304, 311, and 321, inclusively, shall not exceed 60.68 T/yr.
[Tier II Permit No. T2-030419, 8/20/03]
- 3.2 Total HAP emissions from Storage Tank Nos. 301, 304, 311, and 321, inclusively, shall not exceed 1.744 T/yr.
[Tier II Permit No. T2-030419, 8/20/03]
- 3.3 The total, annual throughput of gasoline petroleum product shall not exceed 345,436,000 U.S. gal/yr per any consecutive 12-month period for Storage Tank Nos. 301, 304, 311, and 321, inclusively.
[Tier II Permit No. T2-030419, 8/20/03]
- 3.4 The contents of Storage Tank Nos. 301, 304, 311, and 321 shall be limited to gasoline or distillate fuel.
[Tier II Permit No. T2-030419, 8/20/03]
- 3.5 The permittee shall maintain and operate equipment to monitor the fuel throughput for Storage Tank Nos. 301, 304, 311, and 321.
[Tier II Permit No. T2-030419, 8/20/03]

AIR QUALITY TIER I OPERATING PERMIT NUMBER: T1-030413

Permittee: Sinclair Oil Corp.	AIRS Facility No. 031-00026	Date Issued:	January 13, 2004
Location: Burley, Idaho		Date Expires:	July 4, 2007

Monitoring & Recordkeeping Requirements

- 3.6 The permittee shall monitor and record the type of petroleum product (i.e., gasoline or distillate fuel) stored in Storage Tank Nos. 301, 304, 311, and 321 on a monthly basis. Monitoring and recordkeeping shall comply with Permit Condition 2.19.

[Tier II Permit No. T2-030419, 8/20/03]

- 3.7 The permittee shall monitor and record the throughput of petroleum product stored in Storage Tank Nos. 301, 304, 311, and 321, in units of U.S. gallons. This information is to be compiled on a monthly basis to establish compliance with the 12-month rolling throughput limitation. Monitoring and recordkeeping of product type and throughput shall constitute demonstration of compliance with the applicable annual VOC and HAP emission limits. Monitoring and recordkeeping shall comply with Permit Condition 2.19.

[Tier II Permit No. T2-030419, 8/20/03]

AIR QUALITY TIER I OPERATING PERMIT NUMBER: T1-030413

Permittee: Sinclair Oil Corp.	AIRS Facility No. 031-00026	Date Issued:	January 13, 2004
Location: Burley, Idaho		Date Expires:	July 4, 2007

4. STORAGE TANKS 302, 305 & 306**Summary Description**

The following is a narrative description of the storage tanks numbered 302, 305, and 306 that are regulated in this Tier I permit. This description is for informational purposes only.

These tanks are only allowed to store distillate fuel. The yearly throughput and emission rates for these tanks are limited to avoid MACT requirements. These tanks are also referred to as emission units number 5, 6, and 7 respectively in some documents.

Table 4.1 contains only a summary of the requirements that apply to the storage tanks numbered 302, 305, and 306. Specific permit requirements are listed below Table 4.1.

Table 4.1 APPLICABLE REQUIREMENTS SUMMARY

Permit Conditions	Parameter	Permit Limit/ Standard Summary	Applicable Requirements Reference	Monitoring and Recordkeeping Requirements
4.1	VOC emissions	1.17 T/yr (total)	Tier II Permit No. T2-030419	4.6, 4.7
4.2	HAP emissions	0.039 T/yr (total)	Tier II Permit No. T2-030419	4.6, 4.7
4.3	Tank throughput	466,798,500 U.S. gal/yr (total)	Tier II Permit No. T2-030419	4.6, 4.7
4.4	Fuel type	Distillate fuel	Tier II Permit No. T2-030419	4.6

Permit Limits / Standard Summary

- 4.1 Total VOC emissions from Storage Tank Nos. 302, 305, and 306, inclusively, shall not exceed 1.17 T/yr.
[Tier II Permit No. T2-030419, 8/20/03]
- 4.2 Total HAP emissions from Storage Tank Nos. 302, 305, and 306, inclusively, shall not exceed 0.039 T/yr.
[Tier II Permit No. T2-030419, 8/20/03]
- 4.3 The total, annual throughput of distillate fuel in Storage Tank Nos. 302, 305, or 306, inclusively, shall not exceed 466,798,500 U.S. gal/yr per any consecutive 12-month period.
[Tier II Permit No. T2-030419, 8/20/03]
- 4.4 The contents of Storage Tank Nos. 302, 305, and 306 shall be limited to distillate fuel.
[Tier II Permit No. T2-030419, 8/20/03]
- 4.5 The permittee shall maintain and operate equipment to monitor the fuel throughput of each storage tank.
[Tier II Permit No. T2-030419, 8/20/03]

AIR QUALITY TIER I OPERATING PERMIT NUMBER: T1-030413			
Permittee: Sinclair Oil Corp.	AIRS Facility No. 031-00026	Date Issued:	January 13, 2004
Location: Burley, Idaho		Date Expires:	July 4, 2007

Monitoring & Recordkeeping Requirements

- 4.6 The permittee shall monitor and record the type of petroleum product (distillate fuel) stored in Storage Tank Nos. 302, 305, and 306 on a monthly basis. Monitoring and recordkeeping shall comply with Permit Condition 2.19.

[IDAPA 58.01.01.322.06, 07, 5/1/94]

- 4.7 The permittee shall monitor and record the monthly throughput of each tank in units of U.S. gallons. This information is to be compiled on a monthly basis to establish compliance with the 12-month rolling throughput limitation. Monitoring and recordkeeping of product type and throughput shall constitute demonstration of compliance with the applicable annual VOC and HAP emission limits. Monitoring and recordkeeping shall comply with Permit Condition 2.19.

[Tier II Permit No. T2-030419, 8/20/03]

AIR QUALITY TIER I OPERATING PERMIT NUMBER: T1-030413

Permittee: Sinclair Oil Corp.	AIRS Facility No. 031-00026	Date Issued:	January 13, 2004
Location: Burley, Idaho		Date Expires:	July 4, 2007

5. PROVER TANK**Summary Description**

The following is a narrative description of the Prover Tank that is regulated in this Tier I permit. This description is for informational purposes only.

This tank is only allowed to store diesel or gasoline. The yearly throughput and emission rates for this tank are limited to avoid MACT requirements. This tank is also referred to as emission unit number 9 in some documents.

Table 5.1 contains only a summary of the requirements that apply to the Prover Tank. Specific permit requirements are listed below Table 5.1.

Table 5.1 APPLICABLE REQUIREMENTS SUMMARY

Permit Conditions	Parameter	Permit Limit/Standard Summary	Applicable Requirements Reference	Monitoring and Recordkeeping Requirements
5.1	VOC emissions	0.26 T/yr	Tier II Permit No. T2-030419	5.6, 5.7
5.2	HAP emissions	0.007 T/yr	Tier II Permit No. T2-030419	5.6, 5.7
5.3	Tank throughput	220,200 U.S. gal/yr	Tier II Permit No. T2-030419	5.6, 5.7
5.4	Fuel type	Gasoline or Distillate Fuel	Tier II Permit No. T2-030419	5.6

Permit Limits / Standard Summary

- 5.1 Volatile organic compound emissions from the Prover Tank shall not exceed 0.26 T/yr.
[Tier II Permit No. T2-030419, 8/20/03]
- 5.2 Hazardous air pollutant emissions from the Prover Tank shall not exceed 0.007 T/yr.
[Tier II Permit No. T2-030419, 8/20/03]
- 5.3 The throughput of petroleum products in the Prover Tank shall not exceed 220,200 U.S. gal/yr per any consecutive 12-month period.
[Tier II Permit No. T2-030419, 8/20/03]
- 5.4 The contents of the Prover Tank shall be limited to gasoline or distillate fuel.
[Tier II Permit No. T2-030419, 8/20/03]
- 5.5 The permittee shall maintain and operate equipment to monitor the fuel throughput for the Prover Tank.
[Tier II Permit No. T2-030419, 8/20/03]

AIR QUALITY TIER I OPERATING PERMIT NUMBER: T1-030413

Permittee: Sinclair Oil Corp.	AIRS Facility No. 031-00026	Date Issued:	January 13, 2004
Location: Burley, Idaho		Date Expires:	July 4, 2007

Monitoring & Recordkeeping Requirements

- 5.6 The permittee shall monitor and record the type of petroleum product (i.e., gasoline or distillate fuel) stored in the Prover Tank. Monitoring and recordkeeping shall comply with Permit Condition 2.19
[Tier II Permit No. T2-030419, 8/20/03]
- 5.7 The permittee shall monitor and record the monthly throughput of petroleum product stored in the Prover Tank in units of U.S. gallons. This information is to be compiled on a monthly basis to establish compliance with the 12-month rolling throughput limitation. Monitoring and recordkeeping of product type and throughput shall constitute demonstration of compliance with the applicable annual VOC and HAP emission limits. Monitoring and recordkeeping shall comply with Permit Condition 2.19.
[Tier II Permit No. T2-030419, 8/20/03]

AIR QUALITY TIER I OPERATING PERMIT NUMBER: T1-030413

Permittee: Sinclair Oil Corp.	AIRS Facility No. 031-00026	Date Issued:	January 13, 2004
Location: Burley, Idaho		Date Expires:	July 4, 2007

6. TRANSMIX TANK**Summary Description**

The following is a narrative description of the Transmix Tank that is regulated in this Tier I permit. This description is for informational purposes only.

This tank is used to store off-spec products, residual products from other storage tanks, water contaminated with petroleum, or other non-commercial products. The yearly throughput and emission rates for this tank are limited to avoid MACT requirements.

Table 6.1 contains only a summary of the requirements that apply to the Prover Tank. Specific permit requirements are listed below Table 6.1.

TABLE 6.1 APPLICABLE REQUIREMENTS SUMMARY

Permit Conditions	Parameter	Permit Limit/Standard Summary	Applicable Requirements Reference	Monitoring and Recordkeeping Requirements
6.1	VOC emissions	0.27 T/yr	Tier II Permit No. T2-030419	6.6, 6.7
6.2	HAP emissions	0.007 T/yr	Tier II Permit No. T2-030419	6.6, 6.7
6.3	Tank throughput	38,080 U.S. gal/yr	Tier II Permit No. T2-030419	6.6, 6.7
6.4	Fuel type	Refer to Permit Condition 6.4	Tier II Permit No. T2-030419	6.6

Permit Limits / Standard Summary

- 6.1 Volatile organic compound emissions from the Transmix Tank shall not exceed 0.27 T/yr.
[Tier II Permit No. T2-030419, 8/20/03]
- 6.2 Hazardous air pollutant emissions from the Transmix Tank shall not exceed 0.007 T/yr.
[Tier II Permit No. T2-030419, 8/20/03]
- 6.3 The throughput of petroleum products in the Transmix Tank shall not exceed 38,080 U.S. gal/yr per any consecutive 12-month period.
[Tier II Permit No. T2-030419, 8/20/03]
- 6.4 The contents of the Transmix Tank shall be limited to off-spec products, residual products from other storage tanks, water contaminated with petroleum, and/or other non-commercial products.
[Tier II Permit No. T2-030419, 8/20/03]
- 6.5 The permittee shall maintain and operate equipment to monitor the fuel throughput for the Transmix Tank.
[Tier II Permit No. T2-030419, 8/20/03]

AIR QUALITY TIER I OPERATING PERMIT NUMBER: T1-030413			
Permittee: Sinclair Oil Corp.	AIRS Facility No. 031-00026	Date Issued:	January 13, 2004
Location: Burley, Idaho		Date Expires:	July 4, 2007

Monitoring & Recordkeeping Requirements

- 6.6 The permittee shall monitor and record the type of petroleum product stored in the Transmix Tank. Monitoring and recordkeeping shall comply with Permit Condition 2.19.
[Tier II Permit No. T2-030419, 8/20/03]
- 6.7 The permittee shall monitor and record the monthly throughput of petroleum product stored in the Transmix Tank in units of U.S. gallons. This information is to be compiled on a monthly basis to establish compliance with the 12-month rolling throughput limitation. Monitoring and recordkeeping of product type and throughput shall constitute demonstration of compliance with the applicable annual VOC and HAP emission limits. Monitoring and recordkeeping shall comply with Permit Condition 2.19.
[Tier II Permit No. T2-030419, 8/20/03]

AIR QUALITY TIER I OPERATING PERMIT NUMBER: T1-030413**Permittee:** Sinclair Oil Corp.**AIRS Facility No.** 031-00026**Date Issued:**

January 13, 2004

Location: Burley, Idaho**Date Expires:**

July 4, 2007

7. GASOLINE AND DISTILLATE FUEL LOADING RACK**Summary Description**

The following is a narrative description of the loading rack that is regulated in this Tier I permit. This description is for informational purposes only.

The loading rack is only allowed to distribute distillate fuel or gasoline. The yearly throughput and emission rates for the loading rack are limited to avoid MACT requirements. The loading rack is also referred to as emissions unit number 10 in some documents.

Table 7.1 contains only a summary of the requirements that apply to the loading rack. Specific permit requirements are listed below Table 7.1.

Table 7.1 APPLICABLE REQUIREMENTS SUMMARY

Permit Conditions	Parameter	Permit Limit/ Standard Summary	Applicable Requirements Reference	Monitoring and Recordkeeping Requirements
7.1	VOC emissions	360.9 T/yr	Tier II Permit No. T2-030419	7.6, 7.7
7.2	HAP emissions	9.53 T/yr	Tier II Permit No. T2-030419	7.6, 7.7
7.3	Throughput	Gasoline: 107,310,000 U.S. gal/yr Diesel: 462,996,000 U.S. gal/yr	Tier II Permit No. T2-030419	7.6, 7.7
7.4	Fuel type	Gasoline or distillate fuel	Tier II Permit No. T2-030419	7.6

Permit Limits / Standard Summary

- 7.1 Volatile organic compound emissions from the loading rack shall not exceed 360.9 T/yr per any consecutive 12-month period.

[Tier II Permit No. T2-030419, 8/20/03]

- 7.2 Hazardous air pollutant emissions from the loading rack shall not exceed 9.53 T/yr per any consecutive 12-month period.

[Tier II Permit No. T2-030419, 8/20/03]

- 7.3 The fuel throughput of the loading rack shall not exceed the following:

- Gasoline - 107,310,000 U.S. gallons per any consecutive 12-month period;
- Distillate fuel - 462,996,000 U.S. gallons per any consecutive 12-month period.

[Tier II Permit No. T2-030419, 8/20/03]

- 7.4 The loading rack shall be limited to distributing gasoline or distillate fuel.

[Tier II Permit No. T2-030419, 8/20/03]

- 7.5 The permittee shall maintain and operate equipment to monitor the fuel throughput for the loading rack.

[Tier II Permit No. T2-030419, 8/20/03]

AIR QUALITY TIER I OPERATING PERMIT NUMBER: T1-030413

Permittee: Sinclair Oil Corp.	AIRS Facility No. 031-00026	Date Issued:	January 13, 2004
Location: Burley, Idaho		Date Expires:	July 4, 2007

Monitoring & Recordkeeping Requirements

- 7.6 The permittee shall monitor and record the type of petroleum product (i.e., gasoline or distillate fuel) distributed by the loading rack. Monitoring and recordkeeping shall comply with Permit Condition 2.19.

[Tier II Permit No. T2-030419, 8/20/03]

- 7.7 The permittee shall monitor and record the monthly throughput of petroleum product distributed by the loading rack in units of U.S. gallons. This information is to be compiled on a monthly basis to establish compliance with the 12-month rolling throughput limitation. Monitoring and recordkeeping of product type and throughput shall constitute demonstration of compliance with the applicable annual VOC and HAP emission limits. Monitoring and recordkeeping shall comply with Permit Condition 2.19.

[Tier II Permit No. T2-030419, 8/20/03]

AIR QUALITY TIER I OPERATING PERMIT NUMBER: T1-030413

Permittee: Sinclair Oil Corp.	AIRS Facility No. 031-00026	Date Issued:	January 13, 2004
Location: Burley, Idaho		Date Expires:	July 4, 2007

8. INSIGNIFICANT ACTIVITIES

Activities and emissions units identified as insignificant under IDAPA 58.01.01.317.01(b) are listed in the Tier I permit to qualify for a permit shield.

Table 8.1 INSIGNIFICANT ACTIVITIES

Description	Insignificant Activities
	IDAPA 58.01.01.317.01(b)(1) Citation
Petroleum product additives tanks and handling	(3), [3/23/98]
Petroleum product sampling	(1), [3/3/95]
Maintenance activities	(30), [3/23/98]

- 8.1 There are no monitoring, recordkeeping, or reporting requirements for insignificant emission units or activities beyond those required in the Facility-wide Permit Conditions.

AIR QUALITY TIER I OPERATING PERMIT NUMBER: T1-030413			
Permittee: Sinclair Oil Corp.	AIRS Facility No. 031-00026	Date Issued:	January 13, 2004
Location: Burley, Idaho		Date Expires:	July 4, 2007

9. TIER I OPERATING PERMIT GENERAL PROVISIONS

General Compliance

1. The permittee shall comply with all conditions of this permit. Any permit noncompliance constitutes a violation and is grounds for enforcement action; for permit termination, revocation and reissuance, or revision; or for denial of a permit renewal application.
[IDAPA 58.01.01.322.15.a, 5/1/94; 40 CFR 70.6(a)(6)(I)]
2. It shall not be a defense in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the terms and conditions of this permit.
[IDAPA 58.01.01.322.15.b, 5/1/94; 40 CFR 70.6(a)(6)(II)]
3. Any permittee who fails to submit any relevant facts or who has submitted incorrect information in a permit application shall, upon becoming aware of such failure or incorrect submittal, promptly submit such supplementary facts or corrected information.
[IDAPA 58.01.01.315.01, 5/1/94; 40 CFR 70.5(b)]

Reopening

4. This permit may be revised, reopened, revoked and reissued, or terminated for cause. Cause for reopening exists under any of the circumstances listed in IDAPA 58.01.01.386. Proceedings to reopen and reissue a permit shall follow the same procedures as apply to initial permit issuance and shall affect only those parts of the permit for which cause to reopen exists. Such reopening shall be made as expeditiously as practicable in accordance with IDAPA 58.01.01.360 through 369.
[IDAPA 58.01.01.322.15.c, 5/1/94; IDAPA 58.01.01.386, 3/19/99; 40 CFR 70.7(f)(1) and (2); 40 CFR 70.6(a)(6)(III)]
5. The filing of a request by the permittee for a permit revision, revocation and reissuance, or termination, or of a notification of planned changes or anticipated noncompliance does not stay any permit condition.
[IDAPA 58.01.01.322.15.d, 5/1/94; 40 CFR 70.6(a)(6)(III)]

Property Rights

6. This permit does not convey any property rights of any sort, or any exclusive privilege.
[IDAPA 58.01.01.322.15.e, 5/1/94; 40 CFR 70.6(a)(6)(IV)]

Information Requests

7. The permittee shall furnish all information requested by DEQ, within a reasonable time, that DEQ may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit or to determine compliance with the permit.
[Idaho Code §39-108; IDAPA 58.01.01.122, 5/1/94; IDAPA 58.01.01.322.15.f, 4/5/00; 40 CFR 70.6(a)(6)(v)]

AIR QUALITY TIER I OPERATING PERMIT NUMBER: T1-030413

Permittee: Sinclair Oil Corp.	AIRS Facility No. 031-00026	Date Issued:	January 13, 2004
Location: Burley, Idaho		Date Expires:	July 4, 2007

8. Upon request, the permittee shall furnish to DEQ copies of records required to be kept by this permit. For information claimed to be confidential, the permittee may furnish such records along with a claim of confidentiality in accordance with Idaho Code §9-342A and applicable implementing regulations including IDAPA 58.01.01.128.

[IDAPA 58.01.01.322.15.g, 5/1/94; IDAPA 58.01.01.128, 4/5/00; 40 CFR 70.6(a)(6)(v)]

Severability

9. The provisions of this permit are severable, and if any provision of this permit to any circumstance is held invalid, the application of such provision to other circumstances, and the remainder of this permit shall not be affected thereby.

[IDAPA 58.01.01.322.15.h, 5/1/94; 40 CFR 70.6(a)(5)]

Changes Requiring Permit Revision or Notice

10. The permittee may not commence construction or modification of any stationary source, facility, major facility, or major modification without first obtaining all necessary permits to construct or an approval under IDAPA 58.01.01.213, or complying with IDAPA 58.01.01.220 through 223. The permittee shall comply with IDAPA 58.01.01.380 through 386 as applicable.

[IDAPA 58.01.01.200-223, 4/5/00; IDAPA 58.01.01.322.15.i, 380-386, 3/19/99; 40 CFR 70.4(b)(12), (14) and (15); 40 CFR 70.7(d) and (e)]

11. Changes that are not addressed or prohibited by the Tier I operating permit require a Tier I operating permit revision if such changes are subject to any requirement under Title IV of the CAA, 42 U.S.C. Section 7651 through 7651c, or are modifications under Title I of the CAA, 42 U.S.C. Section 7401 through 7515. Administrative amendments (IDAPA 58.01.01.381), minor permit modifications (IDAPA 58.01.01.383), and significant permit modifications (IDAPA 58.01.01.382) require a revision to the Tier I operating permit. Clean Air Act, Section 502(b)(10) changes are authorized in accordance with IDAPA 58.01.01.384. Off-permit changes and required notice are authorized in accordance with IDAPA 58.01.01.385.

[IDAPA 58.01.01.381-385, 3/19/99; IDAPA 58.01.01.209.05, 5/1/94; 40 CFR 70.4(b)(14) and (15)]

Federal and State Enforceability

12. Unless specifically identified as a "state-only" provision, all terms and conditions in this permit, including any terms and conditions designed to limit a source's potential to emit, are enforceable: (i) by DEQ in accordance with state law; and (ii) by the United States or any other person in accordance with federal law.

[IDAPA 58.01.01.322.15.j, 5/1/94; 40 CFR 70.6(b)(1) and (2)]

13. Provisions specifically identified as a "state-only" provision are enforceable only in accordance with state law. "State-only" provisions are those that are not required under the Federal Clean Air Act or under any of its applicable requirements or those provisions adopted by the state prior to federal approval.

[Idaho Code §39-108; IDAPA 58.01.01.322.15.k, 3/23/98]

AIR QUALITY TIER I OPERATING PERMIT NUMBER: T1-030413			
Permittee: Sinclair Oil Corp.	AIRS Facility No. 031-00026	Date Issued:	January 13, 2004
Location: Burley, Idaho		Date Expires:	July 4, 2007

Inspection and Entry

14. Upon presentation of credentials, the permittee shall allow DEQ or an authorized representative of DEQ to do the following:
- Enter upon the permittee's premises where a Tier I source is located or emissions related activity is conducted, or where records are kept under conditions of this permit.
 - Have access to and copy, at reasonable times, any records that are kept under the conditions of this permit.
 - Inspect at reasonable times any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under this permit.
 - As authorized by the Idaho Environmental Protection and Health Act, sample or monitor, at reasonable times, substances or parameters for the purpose of determining or ensuring compliance with this permit or applicable requirements.
- [Idaho Code §39-108; IDAPA 58.01.01.322.15.i, 3/19/99; 40 CFR 70.6(c)(2)]

New Requirements During Permit Term

15. The permittee shall comply with applicable requirements that become effective during the permit term on a timely basis.
- [IDAPA 58.01.01.322.10, 4/5/00; IDAPA 58.01.01.314.10.a.ii, 5/1/94; 40 CFR 70.6(c)(3) citing 70.5(c)(8)]

Fees

16. The owner or operator of a Tier I source shall pay annual registration fees to DEQ in accordance with IDAPA 58.01.01.525 through IDAPA 58.01.01.538.
- [IDAPA 58.01.01.322.15.n, 5/1/94; 40 CFR 70.6(a)(7)]

Certification

17. All documents submitted to DEQ shall be certified in accordance with IDAPA 58.01.01.123 and comply with IDAPA 58.01.01.124.
- [IDAPA 58.01.01.322.15.o, 5/1/94; 40 CFR 70.6(a)(3)(iii)(A); 40 CFR 70.5(d)]

Renewal

- 18.1 The owner or operator of a Tier I source shall submit an application to DEQ for a renewal of this permit at least 6 months before, but no earlier than 18 months before, July 4, 2007. To ensure that the term of the operating permit does not expire before the permit is renewed, the owner or operator is encouraged to submit a renewal application 9 months prior to July 4, 2007.
- [IDAPA 58.01.01.313.03, 4/5/00; 40 CFR 70.5(a)(1)(iii)]

AIR QUALITY TIER I OPERATING PERMIT NUMBER: T1-030413

Permittee: Sinclair Oil Corp.	AIRS Facility No. 031-00026	Date Issued:	January 13, 2004
Location: Burley, Idaho		Date Expires:	July 4, 2007

- 18.2 If a timely and complete application for a Tier I operating permit renewal is submitted, but DEQ fails to issue or deny the renewal permit before July 4, 2007, then all the terms and conditions of this permit including any permit shield that may have been granted pursuant to IDAPA 58.01.01.325 shall remain in effect until the renewal permit has been issued or denied.

[IDAPA 58.01.01.322.15.p, 5/1/94; 40 CFR 70.7(b)]

Permit Shield

19. Compliance with the terms and conditions of the Tier I operating permit, including those applicable to all alternative operating scenarios and trading scenarios, shall be deemed compliance with any applicable requirements as of the date of permit issuance, provided that:

- a. Such applicable requirements are included and are specifically identified in the Tier I operating permit; or
 - i. DEQ has determined that other requirements specifically identified are not applicable and all of the criteria set forth in IDAPA 58.01.01.325.01(b) have been met.
- b. The permit shield shall apply to permit revisions made in accordance with IDAPA 58.01.01.381.04 (administrative amendments incorporating the terms of a permit to construct), IDAPA 58.01.01.382.04 (significant modifications), and IDAPA 58.01.01.384.03 (trading under an emissions cap).
- c. Nothing in this permit shall alter or affect the following:
 - i. Any administrative authority or judicial remedy available to prevent or terminate emergencies or imminent and substantial dangers;
 - ii. The liability of an owner or operator of a source for any violation of applicable requirements prior to July 4, 2002;
 - iii. The applicable requirements of the acid rain program, consistent with 42 U.S.C. Section 7651(g)(a); and
 - iv. The ability of EPA to obtain information from a source pursuant to Section 114 of the CAA; or the ability of DEQ to obtain information from a source pursuant to Idaho Code §39-108 and IDAPA 58.01.01.122.

[Idaho Code §39-108 and 112; IDAPA 58.01.01.122, 322.15.m, 325, 5/1/94;
IDAPA 58.01.01.381.04, 382.04, 383.05, 384.03, 385.03, 3/19/99; 40 CFR 70.6(f)]

Compliance Schedule and Progress Reports

- 20.
- a. For each applicable requirement for which the source is not in compliance, the permittee shall comply with the compliance schedule incorporated in this permit.
 - b. For each applicable requirement that will become effective during the term of this permit and that provides a detailed compliance schedule, the permittee shall comply with such requirements in accordance with the detailed schedule.

AIR QUALITY TIER I OPERATING PERMIT NUMBER: T1-030413**Permittee:** Sinclair Oil Corp.**AIRS Facility No.** 031-00026**Date Issued:**

January 13, 2004

Location: Burley, Idaho**Date Expires:**

July 4, 2007

- c. For each applicable requirement that will become effective during the term of this permit that does not contain a more detailed schedule, the permittee shall meet such requirements on a timely basis.
- d. For each applicable requirement with which the permittee is in compliance, the permittee shall continue to comply with such requirements.

[IDAPA 58.01.01.322.10, 4/5/00; IDAPA 58.01.01.314.9, 10, 5/1/94;
40 CFR 70.6(c)(3) and (4)]

Periodic Compliance Certification

21. The permittee shall submit compliance certifications during the term of the permit for each emissions unit to DEQ and the EPA as follows:

- a. Compliance certifications for all emissions units shall be submitted annually beginning 12 months from July 4, 2002, or more frequently if specified by the underlying applicable requirement or elsewhere in this permit by DEQ;
- b. The compliance certification for each emissions unit shall address all of the terms and conditions contained in the Tier I operating permit that are applicable to such emissions unit including emissions limitations, standards, and work practices;
- c. The compliance certification shall be in an itemized form providing the following information (provided that the identification of applicable information may cross-reference the permit or previous reports as applicable):
 - i. The identification of each term or condition of the Tier I operating permit that is the basis of the certification;
 - ii. The identification of the method(s) or other means used by the owner or operator for determining the compliance status with each term and condition during the certification period, and whether such methods or other means provide continuous or intermittent data. Such methods and other means shall include, at a minimum, the methods and means required by this Tier I operating permit. If necessary, the owner or operator shall identify any other material information that must be included in the certification to comply with Section 113(c)(2) of the CAA which prohibits knowingly making a false certification or omitting material information;
 - iii. The status of compliance with the terms and conditions of the permit for the period covered by the certification, based on the method or means designated in Paragraph 21.3.2 above. The certification shall identify each deviation and take it into account in the compliance certification. The certification shall also identify as possible exceptions to compliance any periods during which compliance is required and in which an excursion or exceedance as defined under 40 CFR Part 64 occurred;
 - iv. Such other facts as DEQ may require to determine the compliance status of the source.
- d. All original compliance certifications shall be submitted to DEQ and a copy of all compliance certifications shall be submitted to the EPA.

[IDAPA 58.01.01.322.11, 5/1/94; 40 CFR 70.6(c)(5)(III); 40 CFR 70.6(c)(5)(IV)]

AIR QUALITY TIER I OPERATING PERMIT NUMBER: T1-030413**Permittee:** Sinclair Oil Corp.**AIRS Facility No.** 031-00026**Date Issued:**

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False Statements

22. No person shall knowingly make any false statement, representation, or certification in any form, notice, or report required under this permit, or any applicable rule or order in force pursuant thereto.

[IDAPA 58.01.01.125, 3/23/98]***No Tampering***

23. No person shall knowingly render inaccurate any monitoring device or method required under this permit or any applicable rule or order in force pursuant thereto.

[IDAPA 58.01.01.126, 3/23/98]***Semiannual Monitoring Reports***

24. In addition to all applicable reporting requirements identified in this permit, the permittee shall submit reports of any required monitoring at least every six months starting six months from July 4, 2002. All instances of deviations from this operating permit's requirements must be clearly identified in the report. All required reports must be certified in accordance with IDAPA 58.01.01.123.

[IDAPA 58.01.01.322.15.q, 3/23/98; IDAPA 58.01.01.322.08.c, 4/5/00; 40 CFR 70.6(a)(3)(III)]***Reporting Deviations and Excess Emissions***

25. The permittee shall promptly report all deviations from permit requirements including upset conditions, their probable cause, and any corrective actions or preventive measures taken. For excess emissions, the report shall be made in accordance with IDAPA 58.01.01.130-136. For all other deviations, the report shall be made in accordance with IDAPA 58.01.01.322.08.c, unless otherwise specified in this permit.

[IDAPA 58.01.01.322.15.q, 3/23/98; IDAPA 58.01.01.135, 4/5/00; 40 CFR 70.6(a)(3)(III)]***Permit Revision Not Required***

26. No permit revision shall be required under any approved economic incentives, marketable permits, emissions trading, and other similar programs or processes for changes that are provided for in the permit.

[IDAPA 58.01.01.322.05.b, 4/5/00; 40 CFR 70.6(a)(8)]***Emergency***

27. In accordance with IDAPA 58.01.01.332, an "emergency" as defined in IDAPA 58.01.01.008., constitutes an affirmative defense to an action brought for noncompliance with such technology-based emissions limitation if the conditions of IDAPA 58.01.01.332.02 are met.

[IDAPA 58.01.01.332.01, 3/19/99; 40 CFR 70.6(g)]